

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3773
OFFERED BY M . _____**

Page 9, after line 9 insert the following:

1 “(2) CHALLENGE TO LEGALITY OF ORDER.—

2 “(A) IN GENERAL.—A person subject to
3 an order issued pursuant to paragraph (1) may
4 challenge the legality of that order by filing a
5 petition with the judge issuing such order.

6 “(B) REVIEW.—Not later than 48 hours
7 after a judge receives a petition under subpara-
8 graph (A), the judge shall conduct an initial re-
9 view of the petition. If the judge determines
10 that the petition is frivolous, the judge shall im-
11 mediately deny the petition and affirm the
12 order or any part of the order that is the sub-
13 ject of the petition. If the judge determines the
14 petition is not frivolous, the judge shall, within
15 72 hours, consider the petition and provide a
16 written statement for the record of the reasons
17 for any determination under this subparagraph.
18 The judge may grant a petition under this sub-
19 paragraph only if the judge finds that such

1 order does not meet the requirements of this
2 section or is otherwise unlawful. If the judge
3 does not modify or set aside the order, the
4 judge shall immediately affirm such order, and
5 order the person submitting the petition to
6 comply with such order.

7 “(C) EFFECT OF ORDERS PENDING RE-
8 VIEW.—Any order not explicitly modified or set
9 aside under this paragraph shall remain in full
10 effect.”.

Page 9, line 10, redesignate paragraph (2) as paragraph (3).

Page 9, line 19, redesignate paragraph (3) as paragraph (4).

Page 9, line 24, redesignate paragraph (4) as paragraph (5).

Page 10, line 4, redesignate paragraph (5) as paragraph (6).